

CCRB INVESTIGATIVE RECOMMENDATION

Investigator: Christopher Vredenburgh	Team: Team # 5	CCRB Case #: 200705846	<input type="checkbox"/> Force	<input checked="" type="checkbox"/> Discourt.	<input type="checkbox"/> U.S.
			<input checked="" type="checkbox"/> Abuse	<input checked="" type="checkbox"/> O.L.	<input type="checkbox"/> Injury
Incident Date(s) Thursday, 04/26/2007 11:00 AM	Location of Incident: In front of § 87(2)(b)	Precinct: 05	18 Mo. SOL 10/26/2008	EO SOL 10/26/2008	
Date/Time CV Reported Fri, 04/27/2007 11:05 AM	CV Reported At: CCRB	How CV Reported: Phone	Date/Time Received at CCRB Fri, 04/27/2007 11:05 AM		

Complainant/Victim	Type	Home Address

Subject Officer(s)	Shield	TaxID	Command
1. POM Christopher Spano	18773	937577	005 PCT
2. POM James Famiano	07548	936568	005 PCT

Officer(s)	Allegation	Investigator Recommendation
A.POM Christopher Spano	Abuse: Officer Christopher Spano stopped and questioned § 87(2)(b)	
B.POM James Famiano	Abuse: Officer James Famiano stopped and questioned § 87(2)(b)	
C.POM James Famiano	Discourtesy: Officer James Famiano spoke obscenely and/or rudely to § 87(2)(b)	
D.POM Christopher Spano	Discourtesy: Officer Christopher Spano spoke obscenely and/or rudely to § 87(2)(b)	
E.POM Christopher Spano	Off. Language: Officer Spano made remarks to § 87(2)(b) based upon race.	
F.POM Christopher Spano	Abuse: Officer Christopher Spano refused to provide his name and/or shield number to § 87(2)(b)	
G.POM James Famiano	Abuse: Officer James Famiano refused to provide his name and/or shield number to § 87(2)(b)	

Synopsis

§ 87(2)(b) filed this complaint with the CCRB by phone on April 27, 2007. On April 26, 2007, at about 11:00 AM, § 87(2)(b) was working as a § 87(2)(b) in Manhattan when Officer Christopher Spano and Officer James Famiano, who were identified through investigation, parked their marked patrol vehicle near § 87(2)(b). Officer Famiano asked § 87(2)(b) if he worked at the building in front of which he was standing and to come towards the van, which § 87(2)(b) did. Officer Famiano asked § 87(2)(b) to show identification and he presented his employment identification card to which Officer Famiano responded, "That isn't the fucking ID I want to see." § 87(2)(b) then showed his New York State driver's license and Officer Famiano asked him if he had been arrested before and if he had an outstanding warrant. § 87(2)(b) answered that he had not been arrested and questioned why he was being harassed. Officer Famiano replied, "I'm not fucking harassing you. When we call you, you come to us and answer questions." Officer Famiano repeated the questions and stated, "Shut the fuck up and answer the question. Do you fucking want me to get out of the van? You don't want me to get out of the van." Officer Spano stated, "You don't need to fucking call nobody, you're gonna leave in a few minutes." Officer Spano then stated, "Come closer, take your hands out of your pockets, Spic." § 87(2)(b) asked for Officer Spano and Officer Famiano's shield numbers, and Officer Spano answered, "You don't need my badge number." The officers then drove away. § 87(2)(b) wrote down that they were using marked police vehicle 6785. Officer Famiano prepared a UF-250 in regards to the stop of § 87(2)(b). In filing the complaint, § 87(2)(b) specified which actions were committed by Officer Famiano and those that were committed by Officer Spano, and thus the allegations have been pled in accordance with the description provided by § 87(2)(b).

On May 1, 7, and 9, 2007, Investigator Vredenburg sent § 87(2)(b) please call letters at the address provided, none of which were returned by the USPS. Inv. Vredenburg called § 87(2)(b) at the number provided on May 3, 2007, but the phone number was disconnected. On May 8, 2007, Inv. Vredenburg performed a Lexis Nexis search for § 87(2)(b) by name and zip code, and there were three phone numbers listed. Two of the numbers were disconnected and one of them was not. Inv. Vredenburg called the working number on May 8, 9, 10, 15, 16, and 17, 2007. There was no operating voice mail system for the number and Inv. Vredenburg left messages with § 87(2)(b)'s wife on May 10 and 16, 2007 to return the call. On May 21, 2007, Inv. Vredenburg used the New York City Department of Corrections website to confirm that § 87(2)(b) is not presently incarcerated in New York City. § 87(2)(g)

§ 87(2)(b)

§ 87(2)(b)

§ 87(2)(b)

Investigator:

Date:

Supervisor:

Date:

Reviewed by:

Date:

Reviewed by:

Date: